

REMARKS

This application is a divisional application of Serial No. 09/259,687 (hereinafter “the parent application.”)

In the Final Office Action dated September 30, 2003 in the parent application, Primary Examiner Reichle withdrew claims 22, 24-27, 32-35 and 39-42 from consideration as being directed to a non-elected species. The instant divisional application is filed to prosecute “withdrawn” claims 24-25, 32, and 39 of the parent application.

Claims 8-16 are pending in the instant application. Original claims 1-7 have been cancelled without prejudice or disclaimer. Independent claims 8, 11 and 14 correspond to “withdrawn” claims 25, 32, and 39, respectively. Claims 9-10, 12-13 and 15-16 corresponding to 22, 24, 33, 34, 40, and 41, respectively, have been added to provide Applicants with the scope of protection to which they are believed entitled.

Consideration of *all* pending claims, i.e. claims 8-16, is believed appropriate and therefore courteously solicited.

The attached Substitute Specification does not include new matter. The Substitute Specification reflects all changes made to the specification by the Amendments filed October 24, 2002 and July 16, 2003 in the parent application.

FIG. 4 has been amended to reflect the change made in the Amendment filed October 19, 2001 in the parent application.

No new matter has been introduced through the foregoing amendments.

New claims 8-10 include all limitations of allowed claim 19 of the parent application, and therefore are patentable over the art applied in the parent application. New claims 8-10 find solid support in the original specification and drawings, e.g., page 8 lines 4-6 of the specification. It should be noted that when a diaper is rolled up for disposal after use, the diaper must be rolled with

its outer surface facing outwardly so as to retain the bodily discharge within the rolled diaper. Thus, a person of ordinary skill in the art would realize that the adhesive layers on the hook members must adhere to the outer surface of the diaper to hold the diaper in the rolled state. New claims 8-10 are thus supported by the original disclosure.

New claims 11-13 include a limitation similar to the limitation of claim 13 in the parent application which was held by Examiner Reichle, in the Office Action dated July 26, 2002, to define over the art. New claims 11-13 are thus substantively patentable. New claims 11-13 also find solid support in the original disclosure as discussed above with respect to claims 8-10.

New claims 14-16 include a limitation similar to the limitation of claim 13 in the parent application which was held by Examiner Reichle, in the Office Action dated July 26, 2002, to define over the art. New claims 14-16 are thus substantively patentable. New claims 14-16 also find solid support in the original disclosure, e.g., in page 8 lines 4-6 of the specification.

Accordingly, Applicant respectfully submits that all claims are now in condition for allowance.

Early examination and favorable indication of allowance are courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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